IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 118 OF 2007

IN

WRIT PETITION NO. 3114 OF 2005

Dr. Manik S. Ruia. .. Petitioner.

vs.

Securities and Exchange Board
of India & Ors. .. Respondents.

Mr. S.U. Kamdar, a/w Mr. S.H. Merchant & Mr. Manek Joshi i/by M/s. M & M Legal Venture for petitioner.

Mr. Milind Sathe a/w Mr. Jayant Gaikwad i/by M/s. Ajay Khandkar & Co. for R. Nos. 3 & 4.

Mr. Pesi Modi with Mr. Dinesh Juvekar and Mr. Vigal Gabriel i/by Mahernosh Humranwala for Respondent NO. 2.

..

Coram: J.N. PATEL &,
S.C. DHARMADHIKARI, JJ.

Date: 2nd March, 2007.

P.C.

. This notice of motion has been taken out by the

petitioner for seeking prohibitory orders restraining the respondent no. 3 and/or his agents from in any manner dealing with or disposing of 10,000 equity shares of 2nd respondent herein claimed by the petitioner. In the alternative it is submitted that if the respondent no.3 is permitted to sell the shares, then the sale proceeds be directed to be deposited in this Court so as to secure the interest of the petitioner.

2. Mr. Sathe, the learned counsel for respondent no. 3 submits that the shares which are the subject matter of this notice of motion have been sold long back i.e. on 25.10.2005. The statement is accepted. Therefore, nothing survives in the motion. The motion is dismissed as infructuous.

3. The petitioner is at liberty to get the information in respect of the transaction of the shares, which are the subject matter of this notice of motion, from respondent no. 3 by giving proper notice.

(J.N. Patel, J.)

(S.C. Dharmadhikari, J.)